

Minutes of the Board of Licensing Commissioners for their meeting held on Tuesday, August 26, 2014, at the Weymouth Town Hall, Chambers, 75 Middle Street

Attendance (present): Chairperson Kathleen A. Deree; Jeffrey E. Richards, Director of Municipal Licenses & Inspections; Daniel McCormack, Director of Public Health; Police Chief Richard Grimes; Fire Chief Keith Stark; George E. Lane, Jr., Town Solicitor; Fire Prevention Officer Justin Myers; and Licensing Officer Edward Chase

Chairperson Deree called the meeting to order at 1:30 PM.

APPLICATION OF CUMBERLAND FARMS, INC. D/B/A CUMBERLAND FARMS #6728 FOR A FOOD VENDOR LICENSE AT 767 MAIN ST.

Attorney Doug Troyer represented Cumberland Farms, stating they were applying for a Food Vendor License and had previously gone to the Zoning Board of Appeals (BZA) for the new site, consisting of a 3,296 sq. ft. convenience store at 767 Main Street, in which a Special Permit was granted with conditions. A couple of check list items are pending, including a Board of Health inspection on August 29th. Trash removal plan is to be submitted. Cumberland Farms is in the process of upgrading all their stores to a new prototype. Weymouth is an example of this.

Mr. Richards stated they have applied for a Food Vendor license to include the menu items as: coffee, pizza, soup, sandwiches and a “chill zone”, as per application. Plans were submitted to the Board. The BZA case does not apply to this application. The hours of the food service would be from 5 AM – 12 AM.

Solicitor Lane stated there was an agreement document with regard to the Special Permit for the construction of the catch basin and the drainage which was somewhat unusual as they wanted the Town to indemnify them for their own work. This is objectionable and was conferred with counsel which would be amended for approval.

Attorney Troyer stated the agreement had been amended a few weeks ago and submitted to Abby McCabe, who had it executed by the Mayor.

Solicitor Lane stated his signature does not appear on it. He would be happy to countersign if the document were forwarded it him.

Chairperson Deree announced the public hearing for comment. None was made.

Mr. McCormack stated the Health Department has received all the appropriate paperwork and will be doing an inspection later this week.

Firefighter Myers stated all the equipment has been inspected for the food service.

Mr. Richards made a MOTION to approve a Food Vendor License for Cumberland Farms at the location of 767 Main Street. Chief Stark seconded the motion and it was UNANIMOUSLY VOTED.

APPLICATION OF 99 WEST, LLC D/B/A 99 RESTAURANT & PUB FOR ALTERATIONS TO THE LICENSED PREMISES (ALL ALCOHOLIC RESTAURANT/COMMON VICTUALLER LICENSE) AT 1094 MAIN ST.

Mr. Tom Wolburn, Project Manager for the 99, stated he will be responsible for the construction part of the project. Mr. Rick O'Connell, 99 Manager, was present as well. Mr. Wolburn stated on the night of September 14th, if approved, the restaurant will close down for the construction and reopen on September 18th for dinner. They are proposing for the following for the interior of the restaurant: painting, changing of light fixtures, rearranging the seating, the bar-top footprint will remain the same, but will be replaced as a wood-top, new carpet and furniture. This will be the 21st restaurant the 99 has upgraded within this year. The entire restaurant will be cleaned and organized during the closure as well.

Mr. Richards asked through Firefighter Myers if there are any issues with the sprinkler with the proposed ceiling change.

Firefighter Myers stated it will be reviewed during the inspection, according to the plans submitted it should not be an issue. Hood systems are required to be up-to-date.

Mr. McCormack asked if a Certificate of Occupancy would be required.

Mr. Richards replied yes, as if a new operation.

Chairperson Deree announced the public hearing for comment. No comment was made.

Mr. Richards made a MOTION to approve the alterations as submitted per plan and application on the licensed premises of the 99 Restaurant. Chief Stark seconded the motion and it was UNANIMOUSLY APPROVED.

Mr. Richards informed the applicant the application would be forwarded to the Alcoholic Beverages Control Commission for their approval. Also, a Certificate of Occupancy would be required.

APPROVALS

- Minutes: July 22, 2014

Mr. Richards made a MOTION to approve the meeting minutes of July 22, 2014. Chief Stark seconded and the motion was UNANIMOUSLY VOTED.

- One-Day Entertainment Permit: 99 Restaurant & Pub, 1094 Main St.

Mr. Richards made a MOTION for the approval of the One-Day Entertainment Permit for date to be determined. Chief Stark seconded and the motion was UNANIMOUSLY APPROVED.

- One-Day Wine & Malt Permit: Weymouth Lodge of Elks #2232 (9/14)

Mr. Richards made a MOTION to approve the One-Day Wine & Malt Permit for the Weymouth Elks to be held on September 14, 2014 from 12 PM – 7 PM for their annual Pig Roast. Chief Stark seconded the motion and it was UNANIMOUSLY VOTED.

- One-Day Wine & Malt Permit: Craft Beer Cellars (Tufts Library 9/18 event)

Mr. Richards stated no application was submitted. Therefore, no vote would be made.

CHAIRMAN'S REPORT

- Meeting Schedule

Mr. Richards made a MOTION to schedule the next meeting for September 23rd at 1:30 pm. Chief Stark seconded and the motion was UNANIMOUSLY VOTED.

NEW/OLD BUSINESS

Nothing discussed.

ADJOURNMENT

Mr. Richards made a MOTION to adjourn at 1:46 pm. Chief Stark seconded the motion and it was UNANIMOUSLY VOTED.

Respectfully submitted,

Lisa VanWinkle
Recording Secretary

Approved:

Date:

Jeffrey E. Richards, C.B.O., Clerk, Director of Municipal Licenses & Inspections